



#4

**DECLARATION AND POWER OF
ATTORNEY FOR UTILITY OR DESIGN
PATENT APPLICATION
(37 CFR 1.63)**



Declaration
Submitted
with Initial
Filing



Declaration
Submitted
after Initial
Filing

Attorney Docket No.

N1422-005

First Named
Inventor

Clinton C.S. CHAPPLE
et al.

COMPLETE IF KNOWN

Application Number

09/931,267

Filing Date

August 16, 2001

Group Art Unit

1645

Examiner Name

To Be Assigned

As below named inventors, we hereby declare that:

Our residences, mailing addresses, and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: GENES ENCODING P-COUMARATE 3-HYDROXYLASE (C3H) AND METHODS OF USE, the specification of which was filed on August 16, 2001, as United States Application Number 09/931,267.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Numbers | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--------------------------------------|---------|-------------------------------------|--|--|--|
| | | | | YES | NO |
| | | | <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |

We hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) |
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| 60/225,554 | August 16, 2000 |

We hereby appoint the registered practitioner(s) associated with Customer No. **6449** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Direct all correspondence to Customer Number **6449**.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that



willful false statements and the ~~same~~ made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1. Inventor's Signature *Clinton C.S. Chapple* Date 10.24.01

Inventor's Name Clinton C.S. Chapple Citizenship Canada

Residence (City) West Lafayette (State/Foreign Country) Indiana

Mailing Address 2210 Robinhood Lane, West Lafayette, Indiana 47906

2. Inventor's Signature _____ Date _____

Inventor's Name Rochus Franke Citizenship Germany

Residence (City) West Lafayette (State/Foreign Country) Indiana

Mailing Address 218-13 Nimitz Drive, West Lafayette, Indiana 47906

3. Inventor's Signature _____ Date _____

Inventor's Name Max O. Ruegger Citizenship USA

Residence (City) Indianapolis (State/Foreign Country) Indiana

Mailing Address 7050 Central Avenue, Indianapolis, Indiana 46220

0931267-41904



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| First Named Inventor | Clinton C.S. CHAPPLE et al. |
| COMPLETE IF KNOWN | |
| Application Number | 09/931,267 |
| Filing Date | August 16, 2001 |
| Group Art Unit | 1645 |
| Examiner Name | To Be Assigned |

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1. Inventor's Signature _____ Date _____

Inventor's Name Clinton C.S. Chapple Citizenship Canada

Residence (City) West Lafayette (State/Foreign Country) Indiana

Mailing Address 2210 Robinhood Lane, West Lafayette, Indiana 47906

2. Inventor's Signature [Signature] Date November 04, 2001
11/04/2001 R.F.

Inventor's Name Rochus Franke Citizenship Germany

Residence (City) West Lafayette KAISERSLAUTERN D.F. (State/Foreign Country) Indiana Germany R.F.

Mailing Address 218-13 Nimitz Drive, West Lafayette, Indiana 47906 SPITAL STRASSE 68, D-67659 KAISERSLAUTERN
GERMANY R.F.

3. Inventor's Signature _____ Date _____

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106011-13000000



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3. Inventor's Signature Max O. Ruegger Date 10/25/01

Inventor's Name Max O. Ruegger Citizenship USA

Residence (City) Indianapolis (State/Foreign Country) Indiana

Mailing Address 7050 Central Avenue, Indianapolis, Indiana 46220

10/25/01 4:52:50 PM